

Notice of Allowability

Application No.

10/511,084

Examiner

Derek S. Chapel

Applicant(s)

KORENGUT ET AL.

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/13/2007.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Status Of Claims

1. This Office Action is in response to an amendment received 2/13/2007 in which Applicant lists claims 2-14 as being original and claim 1 as being currently amended. It is interpreted by the examiner that claims 1-14 are pending.

Oath/Declaration

2. The replacement oath/declaration was received on 2/13/2007. This oath/declaration is accepted. The objections to the oath/declaration cited in the office action mailed 11/13/2006 are hereby withdrawn.

Drawings

3. The replacement drawings and amendments to the specification were received on 2/13/2007. These drawings and amendments are accepted. The objections to the drawings cited in the office action mailed 11/13/2006 are hereby withdrawn.

Specification

4. The amendments to the specification dated 2/13/2007 are accepted. The objections to the specification cited in the office action mailed 11/13/2006 are hereby withdrawn.

Claim Objections

5. The amendments to the claims dated 2/13/2007 are accepted. The objections to the claims cited in the office action mailed 11/13/2006 are hereby withdrawn.

EXAMINER'S AMENDMENT

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Bach (37,771) 650-625-8100 on 5/2/2007.

The application has been amended as follows:

- a. add --the afocal optical relay to-- after "which is optically coupled to" on the fourth line of claim 1;
- b. add --the tilt correction unit to-- after "which is optically coupled to" on the sixth line of claim 1;
- c. add --undistorted-- before "intermediate image" on the sixth line of claim 1.

Allowable Subject Matter

- 7. Claims 1-14 are allowed.
- 8. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the cited art of record for at least the reason that the cited art of record fails to teach or reasonably suggest an apparatus for imaging an area of a surface along a viewing angle that is oblique to the surface having a tilt correction unit, which is optically coupled to the afocal optical relay to correct a tilt of the initial image so as to form a substantially undistorted intermediate image; and a magnification module, which is optically coupled to the tilt correction unit to focus the undistorted intermediate image onto an image detector, as generally set forth in claim 1, the device including, in combination with the features recited in claim 1. Claims 2-7 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1.

Claim 8 is allowable over the cited art of record for at least the reason that the cited art of record fails to teach or reasonably suggest a method for imaging an area of a surface along a viewing angle that is oblique to the surface comprising correcting a tilt of the initial image so as to form a substantially undistorted intermediate image; and focusing the intermediate image onto an image detector, as generally set forth in claim 8, the device including, in combination with the features recited in claim 8. Claims 9-14 depend from claim 8 and are therefore allowable for at least the same reasons as claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

9. Applicant's arguments, see pages 14 through 17, filed 2/13/2007, with respect to the double patenting, 35 USC 102(b), 102(f) and 103(a) rejections have been fully considered and are persuasive. The rejections of claims 1-14 have been withdrawn.

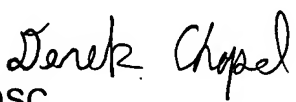
Conclusion


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Derek S. Chapel whose telephone number is 571-272-8042. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2872

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


DSC
5/2/2007


Stephone B. Allen
Supervisory Patent Examiner

Replacement Sheet

3/10

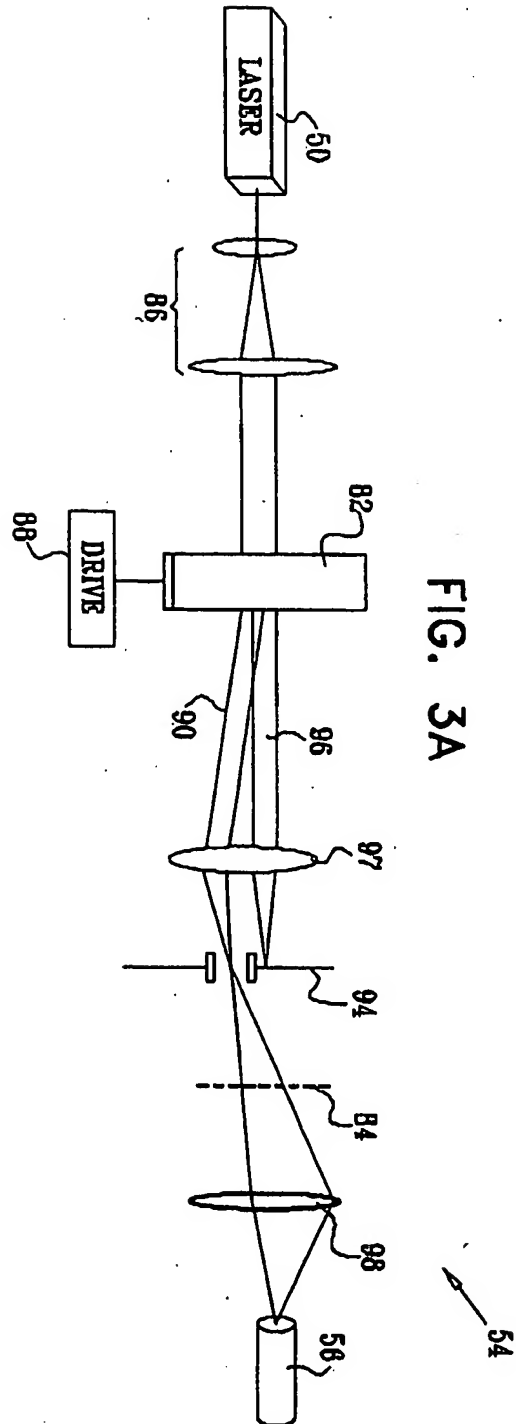


FIG. 3B

